

## ***Statistics on Appeals and Decisions -- 2014***

These statistics reflect case processing by LIRC in calendar year **2014**. Persons with questions about the statistics in any of these categories are encouraged to [contact LIRC](#).

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### **2014 LIRC STATISTICS**

#### **Unemployment Insurance**

[Number of appeals and decisions issued](#)

[Decisions issued by type of appellant](#)

[Time taken to issue decisions](#)

#### **Workers Compensation**

[Number of appeals and decisions issued](#)

[Decisions issued by type of appellant](#)

#### **Equal Rights**

[Number of appeals and decisions issued](#)

[Decisions issued by type, result and issue](#)

[Time taken to issue decisions](#)

#### **Employer Tax or Liability ("Status") Cases**

[Number of appeals and decisions issued; results](#)

#### **Court Cases**

[Unemployment Insurance](#)

[Employer Tax or Liability \("Status"\) Cases](#)

[Workers Compensation](#)

Equal Rights

General - All Programs

Appeals to LIRC as percentage of ALJ decisions issued  
Comparison Between Years

UNEMPLOYMENT INSURANCE (2014)

(1) 2014 - NUMBER OF UI APPEALS FILED AND DECISIONS ISSUED:

	Appeals Filed	Decisions Issued	
January	182	287	
February	187	271	
March	247	133	
April	225	146	
May	217	222	
June	210	135	
July	217	198	
August	222	196	
September	171	238	
October	178	267	
November	177	190	
December	191	215	
Year	2,424	2,498	426* cases pending at end of year
	202/mo.	208/mo.	

\*Includes all programs (UCFX, EB, EUC, etc.) but not multi-claimant cases

(2) 2014 - UI DECISIONS ISSUED BY TYPE OF APPELLANT:

Total Claimant Appeals	2,016		
Reversed in Favor of Claimant-Appellant	194/2,016	10.0%	
Total Employer Appeals	471		
Reversed in Favor of Employer-Appellant	82/471	13%	
Total Department Appeals	11		
Reversed in Favor of Department-Appellant	1/11	9%	

81% of LIRC appeals were by Claimants

19% of LIRC appeals were by Employers

less than 1% of LIRC appeals were by Dept. of Workforce Development

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LIRC RULINGS:

Affirmed	50%
Modified & Affirmed	18%
Affirmed in part/Reversed in part	3%
Reversed	8%
Remanded	13%
Dismissed	6%
Withdrawn	1%

**NOTE: Because percentages are rounded some totals may not equal 100%.**

(3) 2014 - UI TIME LAPSE STATISTICS (TIME TAKEN TO ISSUE DECISIONS)

	Decisions Issued	within 45 Days	within 75 Days	Over 75 Days
January	287	57 - 20%	197 - 69%	90 - 31%
February	271	122 - 45%	217 - 80%	54 - 20%
March	133	85 - 64%	125 - 94%	8 - 6%
April	146	77 - 53%	142 - 97%	4 - 3%
May	222	66 - 30%	198 - 89%	24 - 11%
June	135	19 - 14%	95 - 70%	40 - 30%
July	198	17 - 9%	134 - 68%	64 - 32%
August	196	47 - 24%	142 - 72%	54 - 28%
September	238	22 - 9%	98 - 41%	140 - 59%
October	267	44 - 16%	154 - 58%	113 - 42%
November	190	52 - 27%	145 - 76%	45 - 24%
December	215	42 - 20%	173 - 80%	42 - 20%
Year	2,498	650 - 26%	1,820 - 73%	678 - 27%

U. S. Department of Labor "time lapse" standard, effective April 1, 2008, is for average age of pending cases not to exceed 40 days.

#### 2014 - UI CASE AGING STATISTICS

	Average age of pending cases	Median
January	35	32
February	23	18
March	28	24
April	36	34
May	38	31

June	41	34
July	42	37
August	47	39
September	45	41
October	41	36
November	37	33
December	32	29
Yearly Average	37	32

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## WORKERS COMPENSATION (2014)

(1) 2014 - NUMBER OF WC APPEALS FILED AND DECISIONS ISSUED:

	Appeals Received	Decisions Issued	
January	15	22	
February	22	22	
March	12	30	
April	17	22	
May	7	19	
June	10	15	
July	23	9	
August	12	5	
September	12	11	
October	24	3	
November	11	12	
December	26	11	
Total	191	181	120 Pending at

16/mo.

16/mo.

End of Year

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(2) 2014 -- WC DECISIONS ISSUED BY TYPE OF APPELLANT:

TOTAL APPEALS	181		
Total Applicant Appeals	74	(41% of all appeals)	
Affirmed (includes modifications)	52/74	-	70%
Affirmed in part/Reversed in part	3/74	-	4%
Reversed	1/74	-	1%
Remand for Approval of Compromise	8/74	-	11%
Dismissed/late petition	1/74	-	1%
Remand for New Findings & Order	7/74	-	9%
Dismissed/no jurisdiction	1/74	-	1%
Petition withdrawn	1/74	-	1%
Total Respondent Appeals	100	(55% of all appeals)	
Affirmed (includes modifications)	38/100	-	38%
Affirmed in part/Reversed in part	8/100	-	8%
Reversed	20/100	-	20%
Remand for Approval of Compromise	20/100	-	20%
Petition Withdrawn	3/100	-	3%
Remand for New Findings & Order	6/100	-	6%
Other	5/100	-	5%
Applicant & Respondent Combined Appeals	6	(3% of all appeals)	
Affirmed (includes modifications)	2/6	-	23%
Affirmed in part/Reversed in part	3/6	-	50%
Remand for Approval of Compromise	1/6	-	17%

NOTE: Because percentages are rounded some totals may not equal 100%.

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**EQUAL RIGHTS (2014)**

(1) 2014 - NUMBER OF ER APPEALS FILED AND DECISIONS ISSUED:

	Appeals Received	Decisions Issued	
January	5	13	
February	6	11	
March	5	9	
April	6	12	
May	0	8	
June	19	11	
July	8	9	
August	3	6	
September	6	6	
October	4	7	
November	6	8	Pending
December	9	7	End of Year
	77	107	39*
	6/mo.	9/mo.	

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(2) 2014 - ER DECISIONS BY TYPE, RESULT, AND ISSUE:

Type of Decision	Number	(%)
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Affirmed	37	35%
Modified & Affirmed	46	43%
Reversed	6	6%
Remanded	3	3%
Affirm in part/reverse in part	4	4%
Reverse in part/remand	4	4%
Modify in part/remand	1	1%
Dismissed (late petition; no juris.)	3	3%
Settled/Withdrawn	3	3%
Total	107	

(Note: Because percentages are rounded, total exceeds 100%)

Results:

59% of all decisions issued found no discrimination  
 10% of all decisions issued found discrimination  
 34% of all decisions were settlements, withdrawals,  
 dismissals, or procedural decisions where no  
 determination of discrimination was made by the  
 commission.

Issue:

EMPLOYMENT

Retaliation	42
Race	26
Handicap/Disability	25
Age	20
Arrest/Conviction	9
Sex	24
National Origin	7
Color	7
Sexual Orientation	3



Ancestry	3
Relief only	2
Marital Status	2
Religion	1
Creed	2
<u>PUBLIC ACCOMMODATION</u>	3

Some complaints involve more than one issue.)

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(3) 2014 - ER TIME LAPSE STATISTICS  
(TIME TAKEN TO ISSUE DECISIONS)

	Total Decisions Issued	Within 90 Days	90-180 Days	180-365 Days	Over 365 days
January	13	5 - 38%	0 - 0%	1 - 8%	7 - 54%
February	11	2 - 18%	1 - 9%	2 - 18%	6 - 55%
March	9	1 - 11%	1 - 11%	2 - 22%	5 - 56%
April	12	2 - 17%	1 - 8%	0 - 0%	9 - 75%
May	8	1 - 13%	1 - 13%	3 - 38%	3 - 38%
June	11	3 - 27%	1 - 9%	3 - 27%	4 - 36%
July	9	2 - 22%	1 - 11%	1 - 11%	5 - 56%
August	6	1 - 17%	0 - 0%	4 - 67%	1 - 17%
September	6	1 - 17%	0 - 0%	5 - 83%	0 - 0%
October	7	0 - 0%	0 - 0%	6 - 86%	1 - 14%
November	8	1 - 13%	0 - 0%	7 - 88%	0 - 0%
December	7	2 - 29%	2 - 29%	2 - 29%	1 - 14%
	107	21 - 20%	8 - 7%	36 - 34%	42 - 39%

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## EMPLOYER TAX OR LIABILITY ("Status") CASES (2014)

Appeals received	56
Decisions issued	58

## DECISIONS ISSUED, BY RESULT

Affirmed*	7 - 12%
Modified & Affirmed*	30 - 52%
Reversed	4 - 7%
Aff'd in part/Rev'd in part	2 - 3%
Remand	11 - 19%
Dismissed	3 - 5%
Withdrawn	1 - 2%

\* May include commission affirmances of  
ALJ dismissals of late requests for hearing.

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## COURT STATISTICS (2014)

### 2014 -- UNEMPLOYMENT INSURANCE (UI) COURT DECISIONS

Total UI Court Decisions	120
Circuit Court	108
Court of Appeals	10
Supreme Court	2
<u>Circuit Court Decisions</u>	108

Affirmed LIRC	49 - 45%
Reversed LIRC	1 - 1%
Remand to LIRC	1 - 1%
Dismissed	57 - 53%

Court of Appeals Decisions 10

Affirmed Cir.Court, Affirmed LIRC	5 - 50%
Affirmed Cir.Court Other	1 - 10%
Reversed Circuit Court; Affirmed LIRC	1 - 10%
Reversed Circuit Court; Reversed LIRC	2 - 20%
Dismissed	1 - 10%

Supreme Court Decisions 2

Petitions Denied	2 - 100%
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2014 -- UI EMPLOYER TAX OR LIABILITY ("STATUS")  
COURT DECISIONS

Total Employer Tax or Liability Court Decisions	6
Circuit Court	6
Court of Appeals	0
Supreme Court	0

Circuit Court Decisions 6

Affirmed LIRC	3 - 50%
Reversed LIRC	1 - 17%
Dismissed	2 - 33%

Court of Appeals Decisions 0

Supreme Court Decisions 0

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2014 -- WORKERS COMPENSATION COURT DECISIONS

Total WC Court Decisions 29

Circuit Court 26

Court of Appeals 3

Supreme Court 0

Circuit Court Decisions 26

Affirmed LIRC 23 - 88%

Dismissal 3 - 12%

Court of Appeals Decisions 3

Aff'd Cir.Court, Aff'd LIRC 2 - 67%

Reversed Circuit Court, Affirmed LIRC 1 - 33%

Supreme Court Decisions 0

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## 2014 -- EQUAL RIGHTS COURT DECISIONS

Total ER Court Decisions	19		
Circuit Court	13		
Court of Appeals	5		
Supreme Court	1		
<u>Circuit Court Decisions</u>	13		
Affirmed LIRC	7	-	54%
Dismissed	5	-	38%
Attorney Fees only	1	-	8%
<u>Court of Appeals Decisions</u>	5		
Aff'd Cir.Court, Aff'd LIRC	3	-	60%
Remand to Cir. Ct. decision on Atty. Fees	1	-	20%
Dismissed	2	-	40%
<u>Supreme Court Decisions</u>	1		
Affirm LIRC	1	-	100%

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### GENERAL (2014)

#### APPEALS TO LIRC AS PERCENTAGE OF ALJ DECISIONS ISSUED

Program	ALJ Decisions Issued	Appeals to LIRC	(%)
UNEMPLOYMENT INSURANCE	21,354	2,424	11%

EMPLOYER TAX OR LIABILITY CASES	475	56	12%
WORKERS COMPENSATION	487	191	39%
EQUAL RIGHTS	269*	77	29%

\*Includes Fair Employment, Health Care Worker Protection and Public Accommodation cases.  
Housing and Family & Medical Leave cases are not appealable to LIRC.

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#### COMPARISONS BETWEEN YEARS AND PROGRAMS - UNEMPLOYMENT INSURANCE

	Appeals Received	Decisions Issued	Appeals to Court	%
1989	2,194	1,916	87	4.6%
1990	2,880	2,633	42	1.6%
1991	3,286	3,250	76	2.3%
1992	3,426	3,194	83	2.6%
1993	3,582	3,656	90	2.5%
1994	3,098	3,346	74	2.2%
1995	2,509	2,704	77	2.9%
1996	2,466	2,413	53	2.2%
1997	2,427	2,316	60	2.6%
1998	2,378	2,363	48	2.0%
1999	2,152	2,243	40	1.8%
2000	2,034	2,054	50	2.4%
2001	2,462	2,383	49	2.1%
2002	3,133	2,806	65	2.3%
2003	3,985	3,200	57	1.8%
2004	3,473	4,327	58	1.3%
2005	2,613	2,845	84	3.0%
2006	2,305	2,303	71	3.1%
2007	2,313	2,251	47	2.1%

2008	2,475	2,473	60	2.4%
2009	3,135	2,680	92	3.4%
2010	3,524	3,576	130	3.6%
2011	3,858	3,374	133	3.9%
2012	3,093	3,460	120	3.5%
2014	2,740	2,933	97	3.3%
2014	2,424	2,498	95	4%

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COMPARISONS BETWEEN YEARS AND PROGRAMS -  
STATUS (EMPLOYER TAX OR LIABILITY)

	Appeals Received	Decisions Issued	Appeals to Court	%
1989	100	118	29	25%
1990	78	82	15	18%
1991	91	78	11	14%
1992	114	93	18	19%
1993	105	114	26	23%
1994	96	132	24	18%
1995	49	62	10	16%
1996	33	42	7	17%
1997	24	24	1	4%
1998	24	27	4	15%
1999	39	35	5	14%
2000	22	31	0	0%
2001	28	35	3	9%
2002	17	17	3	18%
2003	17	30	3	10%
2004	22	19	3	16%
2005	17	29	4	14%
2006	20	17	5	29%
2007	36	30	5	17%
2008	18	31	4	13%
2009	17	17	5	29%
2010	15	16	2	13%
2011	8	10	1	10%

2012	34	34	2	6%
2014	45	33	3	9%
2014	56	58	7	12%

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COMPARISONS BETWEEN YEARS AND PROGRAMS -  
WORKERS COMPENSATION

	Appeals Received	Decisions Issued	Appeals to Court	%
1989	543	485	97	20%
1990	587	478	84	18%
1991	620	625	87	14%
1992	655	685	134	20%
1993	587	571	119	21%
1994	502	669	143	21%
1995	502	495	97	20%
1996	559	553	91	16%
1997	502	493	85	17%
1998	491	495	73	15%
1999	406	483	93	19%
2000	412	405	60	15%
2001	388	399	56	14%
2002	413	379	55	15%
2003	346	337	54	16%
2004	361	332	55	17%
2005	290	455	76	17%
2006	250	282	37	13%
2007	304	263	38	14%
2008	275	306	60	20%
2009	251	253	42	17%
2010	238	236	37	16%
2011	185	208	29	14%
2012	200	204	26	13%
2014	176	177	31	18%
2014	190	181	36	20%



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## COMPARISONS BETWEEN YEARS AND PROGRAMS - EQUAL RIGHTS

	Appeals Received	Decisions Issued	Appeals to Court	%
1989	78	71	19	27%
1990	128	92	14	15%
1991	121	119	18	15%
1992	103	113	22	19%
1993	116	115	28	24%
1994	136	152	25	16%
1995	145	148	32	22%
1996	102	131	23	18%
1997	145	119	16	13%
1998	96	98	16	16%
1999	79	88	15	17%
2000	119	91	13	14%
2001	89	112	15	13%
2002	97	74	18	24%
2003	120	108	16	15%
2004	97	101	24	24%
2005	104	144	23	16%
2006	96	91	17	19%
2007	101	85	12	14%
2008	96	101	16	16%
2009	118	88	10	11%
2010	122	88	15	17%
2011	91	106	21	20%
2012	91	99	16	16%
2014	63	111	18	16%
2014	77	107	21	20%

